

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 4/4/2023

MEMORANDUM ENDORSED



HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

MARTHA NIMMER
Special Assistant Corporation Counsel
Cell: (917) 499-8632

April 3, 2023

VIA ECF

Hon. Gregory H. Woods
Daniel Patrick Moynihan United States Courthouse
500 Pearl St.
New York, NY 10007

Re: *A.D. v. N.Y.C. Dep't of Education*, 23-cv-2376 (GHW)(JW)

Dear Judge Woods:

I am a Special Assistant Corporation Counsel in the office of Corporation Counsel, the Hon. Sylvia O. Hinds-Radix, attorney for Defendant in the above-referenced action, wherein Plaintiff seeks solely attorneys' fees, costs and expenses for legal work on an administrative hearing under the Individuals with Disabilities Education Act ("IDEA"), 20 U.S.C. §1400, *et seq.*, as well as for this action.

I write to respectfully request a 90-day extension of Defendant's time to answer, from April 11, 2023 to July 11, 2023. I also respectfully request that the initial telephone conference scheduled for July 10, 2023 be adjourned *sine die*, with a status letter due August 8, 2023, either informing the Court of settlement or proposing a briefing schedule. Plaintiff consents to these requests. This is the first request for an extension of the answer deadline and the first request for an adjournment *sine die* of the initial conference.

The requested extension will provide the undersigned with time to review the relevant billing records, once they are received from Plaintiff, and request settlement authority from the

Comptroller's Office. We are hopeful that the parties will settle this matter without the need for further burden on the Court's time.

Accordingly, Defendant respectfully requests that its time to respond to the complaint be extended to July 11, 2023, and that the initial conference scheduled for July 10, 2023 be adjourned *sine die*, with a status letter due August 8, 2023, either informing the Court of settlement or proposing a briefing schedule.

Thank you for considering these requests.

Respectfully submitted,

/s/

Martha Nimmer, Esq.
Special Assistant Corporation Counsel

cc: Kevin Mendillo, Esq. (via ECF)

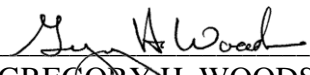
Defendant's application for an extension of time to answer or otherwise respond to the complaint, Dkt. No. 1, is granted. The deadline for Defendant to answer or otherwise respond to the complaint is extended to July 11, 2023.

The parties' request to adjourn the initial pretrial conference is granted. The initial pretrial conference is adjourned *sine die*. The parties are directed to submit a status letter informing the Court of settlement or proposing a briefing schedule no later than August 8, 2023.

The Clerk of Court is respectfully directed to terminate the motion pending at Dkt. No. 6.

SO ORDERED.

Dated: April 4, 2023
New York, New York


GREGORY H. WOODS
United States District Judge